

REMARKS

The present invention relates to an elliptically polarizing plate having a polarizing element and two optical anisotropic layers each having a tilted optical axis of anisotropy and the first optical layer having a positive refractive index anisotropy and the second optical layer having a negative refractive index anisotropy. The layers are preferably laminated in the order listed so that the laminate is asymmetrical. In accordance with the invention, this polarizing plate can be incorporated in a liquid crystal display to maintain an improved display contrast in all azimuths and to inhibit the generation of a color shift with a change in the viewing angle.

The specification, and in particular the Summary of the Invention, has been amended to cure many of the deficiencies noted by the Examiner, as have been the claims. It is respectfully submitted that the Tables are properly included as a part of the specification, and should not necessitate inclusion as a part of the drawings.

The explanation of relevance for the Japanese language publications is included within the Description of the Prior Art on pages three and four of the specification. It is respectfully requested that they be deemed considered within this context. In addition partial translations into English of Japanese Patent Publications Nos. 7-35924, 10-123506, and 2000-304930 are enclosed herewith and should be made of record. Japanese Patent Publication 7-306 406 is not included as it corresponds to U.S. Patent No. 5,504,603, which has already been made of record in the earlier filed Information Disclosure Statement.

Also, the Examiner has objected to the term "rod-like" in claim 4. Certainly, the term "like" is often used by patent practitioners as a catch-all and in a way that introduces confusion as to the scope of the underlying term. In this instance, however, the term "like" has been appropriated by scientists in the liquid crystal field and used in conjunction with "rod" to mean a specific molecular configuration that can be distinguished from a discotic configuration. It is submitted that this

term is not vague, and is understood by the skilled in the art as a term of art. It is therefore requested that the objection to the term in the claim be removed.

The Examiner has rejected claim 1 and claims 3-11 under 35 USC §103(a) over US Patent No. 5,504,603 to Winker in view of US Patent No. 5,196,953 to Yeh and further in view of US Patent No. 5,568,290 to Nakamura. This ground of rejection is in error. The Examiner noted that the Winker reference fails to disclose the particular combination of optical compensation layers that are claimed; notably a first optical layer having a positive refractive index, and a second optical layer having a negative refractive index, and both layers having tilted optical anisotropy axes. It is respectfully submitted that this combination is not obvious, except based on hindsight from the present invention. The Examiner asserts that the motivation for combination of these particular characteristics comes from desire to improve durability under stressful conditions as is desired in the Nakamura reference. The Nakamura reference was mentioned in the prior art section of the present application. Frankly, tilted optical anisotropy has nothing to do with stress environmental conditions. The Fuji invention simply hopes to achieve improved life along with enhancement of the viewing angle.

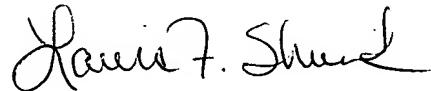
The Yeh invention achieves birefringence through the use of multiple layers that are not individually anisotropic but which operate in this way together. Thus, the referenced phase retardation refers to the relation between the multilayer film and the liquid crystal layer, and not to the relation between the components of the multilayer film. Similarly to the Fuji film, this multilayer compensator uses a negative birefringent film, which however compensates in a different way than the Fuji film. Yeh does not suggest or imply the use of an elliptically polarizing plate.

Moreover, as is noted in the dependent claims, the present invention laminates both of the optical layers on the same side of the liquid crystal so that the liquid crystal cell does not mediate the layers. This results in a lowering of the hue change with viewing angle change. This order of the layers is not suggested by the prior art and is not in any way obvious.

Consequently, it is respectfully submitted that the present application is in condition for allowance, and notice to such effect is respectfully solicited.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA



Laura F. Shunk
Reg. No. 31,423

2020 First Street, Suite 307
Cuyahoga Falls, OH 44221
Telephone: (330) 535-2220
Facsimile: (330)-535-1435

ATTORNEY DOCKET NO. KENT-G